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Atty. Dkt. No. 070191-0190 (15-XT-5197)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lounsberry et al.

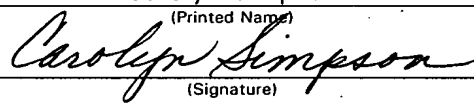
Title: **RECEIVED**  
**JAN 30 2004**  
**OFFICE OF PETITIONS**  
METHOD AND APPARATUS  
FOR ASSOCIATING A FIELD  
REPLACEABLE UNIT WITH A  
MEDICAL DIAGNOSTIC  
SYSTEM AND RECORDING  
OPERATIONAL DATA

Appl. No.: 09/450,264

Filing Date: 11/29/1999

Examiner: Lau, Tung S.

Art Unit: 2863

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 979078423 US	1/26/04
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

**PETITION UNDER 37 C.F.R. § 1.182 TO RECONSTRUCT LOST FILE**

Mail Stop PETITION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully request that the Patent Office reconstruct the application file for USSN 09/450,264 and take action on Applicants' Appeal Brief filed May 16, 2003.

On May 16, 2003, Applicants filed an Appeal Brief in the above-identified application.

On September 15, 2003, Examiner Tung S. Lau informed Applicants' attorney that he had yet to file a response to Applicants' Appeal Brief because the Patent Office lost the file. Examiner Lau requested that Applicants not file another copy of the Appeal Brief until the file is found by the Patent Office.

On November 18, 2003, Examiner Lau contacted Applicants' attorney to inform Applicants that the Patent Office had yet to find the file. Examiner Lau recommended that Applicants contact Customer Service at the Patent Office to initiate a file reconstruction.

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On November 26, 2003 Examiner Lau again contacted Applicants' attorney to inform Applicants that the Patent Office would be handling reconstruction of the file and that he could take no further action until the reconstruction is completed.

On December 10, 2003, Applicants' attorney spoke to Ms. Delora Dillard of the Patent Office regarding initiating file reconstruction. Ms. Dillard suggested that Applicants contact Ms. Verlene Green regarding the file reconstruction.

On December 18, 2003, Applicants' attorney spoke to Ms. Green who recommended that Applicants contact Ms. Tongelina Tubbs to initiate the file reconstruction.

On December 18, 2003, Applicants' attorney spoke with Ms. Tubbs who indicated that she would initiate file reconstruction and that Applicants would receive a written request from the Patent Office regarding the reconstruction shortly.

Applicants have yet to receive any notification from the Patent Office that file reconstruction has begun.

Applicants respectfully request that the Patent Office reconstruct the application file for USSN 09/450,264 and take action on Applicants' Appeal Brief filed May 16, 2003.

Please charge Deposit Account No. 07-0845 in the amount of \$130.00 to cover the fee for this Petition as set forth in 37 C.F.R. § 1.17(h).

Respectfully submitted,

Date

1/26/04

By



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